

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/589,807 Confirmation No. : 2414
First Named : Haruhiko KOMORIYA
Inventor
Filed : February 17, 2005
TC/A.U. : 1795
Examiner : ANCA EOFF
Docket No. : 038788.58117US
Customer No. : 23911
Title : Fluorine-Containing Cyclic Compound, Fluorine-Containing
Polymer Compound, Resist Material Using Same and Method for
Forming Pattern

REPLY TO OFFICE ACTION

Mail Stop AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Reply to the Office Action mailed April 21, 2009 in the above-identified patent application.

This Reply is accompanied by two Terminal Disclaimers under 37 C.F.R. § 1.321, a Petition under 37 C.F.R. § 1.136(a) for a three-month extension of time, and a credit card authorization in payment of the required disclaimer fees and extension of time fee.

This Reply is also accompanied by a verified English translation of Japanese priority application no. JP 2004-044142, filed February 20, 2004.

Reconsideration of the application is respectfully requested in view of the accompanying submissions and the following remarks.

The rejection of claim 3 for obviousness-type double patenting over claim 18 of U.S. patent no. 7,205,443 and the rejection of claim 10 for obviousness-type double patenting over claim 5 of U.S. patent no. 7,402,626 are each believed to be overcome by the respective accompanying Terminal Disclaimers.

The rejection of claims 3, 6, 9-12, 18 and 20-24 under 35 U.S.C. § 102(e) over Maeda et al., US patent publication no. 2005/0250898 A1 is respectfully traversed. The effective date of the cited document as a reference under 35

October 19, 2009

U.S.C. § 102(e) is its November 4, 2004 U.S. filing date. However, this date is subsequent to the February 20, 2004 priority date to which the present application is entitled. A verified English translation of Japanese priority application no. JP 2004-044142 is submitted herewith to perfect Applicants' claim to priority pursuant to 37 C.F.R. § 1.55(a)(4). The cited US patent publication thus is not prior art with respect to the present application. Reconsideration and withdrawal of the rejection are accordingly, respectfully requested.


In view of the foregoing, the application is respectfully submitted to be in condition for allowance, and prompt, favorable action thereon is earnestly solicited.

If there are any questions regarding this Reply or the application in general, a telephone call to the undersigned at (202) 624-2845 would be appreciated since this should expedite the examination of the application.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 038788.58117US).

Respectfully submitted,

October 19, 2009



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